

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Mary Elizabeth Dewitt Hessen v Michael Louis Hessen**  
Docket No. **297631**  
L.C. No. **2008-753000-DM**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because it was not timely filed. MCR 7.204(A). The claim of appeal was not filed within 21 days after entry of the final order appealed from and the motion for postjudgment relief was not filed within the initial 21-day appeal period or within further time allowed by the trial court. MCR 7.204(A)(1). The order awarding attorney fees was entered on January 25, 2010. The motion for reconsideration of that order was not filed until 22 days later on February 16, 2010. Because the motion for reconsideration was not filed within 21 days, the order deciding that motion cannot be used to extend the time for filing an appeal of right under MCR 7.204(A)(1)(b). At this time, appellant may seek to appeal only by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**MAY 03 2010**

Date

*Sandra Schultz Mengel*  
Chief Clerk